

REMARKS

Claims 6-17 are now pending in the application. Claims 6 and 11 have been amended and claims 14-17 are new. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

SPECIFICATION

The specification stands objected to for certain informalities. The Applicants have amended the Abstract and placed section headings into the application according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 6-9, 12 and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Olszok et al. (U.S. Pat. No. 5,821,474). This rejection is respectfully traversed.

Claim 6

Claim 6 has been amended to include "a guide rod with no internal passage."

The Applicants contend that Olszok et al (USP 5, 821,474), hereinafter Olszok '474, does not disclose Applicants' claim 6 because Olszok '474 does not disclose "a guide rod with no internal passage," as the Applicants claim. Olszok '474 uses a guide rod 13 with multiple, longitudinal bored holes 6.1 and 6.2 to expose alternate sides of a membrane/diaphragm 11.1 to a pressure differential to control the

membrane/diaphragm. As such, Olszok '474 controls an aneroid cell 10 differently than the Applicants control their device. Therefore, Applicants' amended claim 6 claims a different structure than Olszok '474 discloses. As a result, the Applicants believe claim 6 to now be in condition for allowance.

Claims 7-16

The Applicants believe claims 7-16 to be in condition for allowance because such claims ultimately depend from claim 6, which is believed to be in condition for allowance.

REJECTION UNDER 35 U.S.C. § 103

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Olszok et al. (U.S. Pat. No. 5,821,474) in view of Uegane (U.S. Pat. No. 6,554,099). This rejection is respectfully traversed. Because claims 10 and 11 ultimately depend from claim 6, which is believed to be in condition for allowance, the Applicants believe claims 10 and 11 to also be in condition for allowance.

New Claims 14-17

Claim 14

Applicants' claim 14 claims "wherein the spring housing is sealed." The Applicants contend that neither Olszok '474 nor Uegane '099 disclose such a structure. In fact each discloses a spring that is exposed to atmosphere outside of its respective housing, and is therefore, not sealed.

Claim 15

Applicants' claim 15 claims "a sealed spring housing coupled to an exterior surface of the muffler housing." The Applicants contend that neither Olszok '474 nor Uegane '099 disclose such a sealed housing. In fact each discloses a housing that is non-sealed and exposes an interior of the housing to the atmosphere outside of the housing.

Claim 16

Applicants' claim 16 claims "a single biasing spring resident in the sealed spring housing..." The Applicants contend that neither Olszok '474 nor Uegane '099 discloses such a structure. Olszok '474 discloses multiple springs while Uegane '099 discloses a non-sealed housing. Neither discloses a solid guide rod, as Applicants claim.

Claim 17

Applicants' claim 17 claims "a solid guide rod." The Applicants contend that neither Olszok '474 nor Uegane '099 discloses such a structure, and as a result, believe claim 17 to be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: October 24, 2005

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